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**Declaration and Power of Attorney for Patent Application****特許出願宣言書及び委任状****Japanese Language Declaration****日本語宣言書**

私は、以下に記載された発明者として、ここに下記を断り宣言する：

As a below named inventor, I hereby declare that:

私の住所、郵便の宛先として用いるは、私の名前の下に記載された通りである。

My residence, post office address, and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が認められている発明主題に関して、私は、最初、最先かつ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先かつ共同発明者である（複数の名前が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NUT FRAGMENTS AND METHODS OF FORMING  
NUT FRAGMENTSNUT FRAGMENTS AND METHODS OF FORMING NUT  
FRAGMENTS

上記特許の権利書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない。

the specification of which is attached hereto unless the following box is checked:

☐ \_\_\_\_\_ のみに記載され、☐ was filed on \_\_\_\_\_

この特許の米国出願番号またはPCT国際出願番号は、

as United States Application Number or

PCT International Application Number

\_\_\_\_\_ であり、且つ

\_\_\_\_\_ and was amended on

\_\_\_\_\_ の日に修正された点（改訂する場合）

(if applicable).

私は、上記の修正書によって書き直された、特許請求範囲を含む上記の特許書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、発明規則第37条第1項（37 CFR 1.56）に定められている、特許性について重要な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

### Japanese Language Declaration

私は、以下に記述した外国での政治活動は、海外記者団の  
目撃、あるいは本国以外での生きた証言に基づいて、正確に記述し  
てある。その多くは、(a)と(2)のPCT国庫書類について、(b)と(3)の  
PCT明文(第335条)と(4)の原に依り、(5)の証言を基とするものと  
、(6)と(7)と(8)の各4冊の国庫書類より、(9)の証言を基とする外国での  
生きた証言と、(10)の証言の証言、(11)の証言の証言(国庫書類)について、  
、(12)の証言、(13)の証言を基とするものによって示した。

**Prior Foreign Application(s)**

**Priority Not Claimed**

用先鋒を振ふし

### 外国での発行出願

2003-433999

(Number)

124

## Japan

(Country)

● 足部:

12/26/03

(Day/Month/Year Filed)

(附取11.7.7.4)

(Number)

總計

(Country)

【註】

(Day/Month/Year Filed)

《論衡》卷之四

即ち、ここに、十瓦のいかなる米田近和野州賦についても、その米田近和野州35賦11戸に、米の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)

(出園茶斗)

(Filing Date)

(五) 三

(Application No.)

《出版序号》

(Filing Date)

(出旗式)

私は、ここに上掲のいかなる非政府組織についても、その名義を  
 興業として職員にのみならず、官公署に提出し、又それを指定するとい  
 かる戸口下開帳書類についても、その開帳書もも然るに違つて判書  
 としてする。また、本協会の各自治体及び経路の主幹が、本協会の第  
 三編第12条第2項に規定した趣旨で、先行する本協会の開帳書  
 の下で開帳書類に開示されない場合、開帳書に於いては、その発行の  
 日及びその自治体内の自治体またはその開帳書類の交付の期日に入  
 った日と見做し、又はその開帳書類第7条第1項に規定する交付  
 された日と見做す趣旨を備へていて開帳書類があることと決定する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application No.)

(出園番号)

(Filing Date)

(出獄三)

(Status Patented, Pending, Abandoned)

(現況：特許認可、修版中、放棄)

(Application No.)

(出版部)

(Filing Date)

(虛無三)

(Status Patented, Pending, Abandoned)

(環境：特許認可、協議中、放棄)

[illegible]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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## Japanese Language Declaration

(日本語表示欄)

敬告： 私は本出願を提出する申請を行い、且つ本特許権取得と  
の全ての業務を遂行するために、記名された代理人として、下記の特  
許士及び/または特許代理人を任命する。(氏名及び登録番号を記載する  
こと)


POWER OF ATTORNEY: As a named inventor, I hereby  
appoint the following attorney(s) and/or agent(s) to prosecute this  
application and transact all business in the Patent and Trademark  
Office connected therewith: (list name and registration number).

送達先

Send Correspondence to:

直接電話特許係：(氏名及び電話番号)

Direct Telephone Calls to:  
(name and telephone number)

第一または第一発明者氏名 Yutaka TABATA	Full name of sole or first inventor Yutaka TABATA
発明者の署名 王村	Inventor's signature  Date 3/10/04
住所 Minato-ku, Japan	Residence Minato-ku, Japan
国籍 Japan	Citizenship Japan
郵便の宛先 1-2-12-307 Motoazabu Minato-ku Tokyo JAPAN	Post Office Address 1-2-12-307 Motoazabu Minato-ku Tokyo JAPAN
第二共同発明者がいる場合、その氏名	Full name of second joint inventor, if any
第二共同発明者の署名 王村	Second inventor's signature Date
住所	Residence
国籍	Citizenship
郵便の宛先	Post Office Address

(第三以下の共同発明者についても同様に記載し、署名を  
すること)(Supply similar information and signature for third and subsequent  
joint inventors.)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Yutaka TABATAApplication No./Patent No.: To Be Assigned Filed/Issue Date: Concurrently HerewithEntitled: NUT FRAGMENTS AND METHODS OF FORMING NUT FRAGMENTSTabata Inc., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

- [ ] Copies of assignments or other documents in the chain of title are attached.  
**[NOTE]:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

3/10/04  
Date011-03-5649-8500  
Telephone NumberYutaka Tabata  
Typed or printed name[Signature]  
SignaturePresident  
Title

**ASSIGNMENT  
SOLE**

**COPY**

THIS ASSIGNMENT, by Yutaka TABATA (hereinafter referred to as the assignor), residing at 1-2-12-307 Motoazabu, Minato-ku, Tokyo, Japan, witnesseth:

WHEREAS, said assignor has invented certain new and useful improvements in NUT FRAGMENTS AND METHODS OF FORMING NUT FRAGMENTS, set forth in an application for Letters Patent of the United States, having an oath or declaration executed on even date herewith.

WHEREAS, Tabata Inc., a corporation duly organized under and pursuant to the laws of Japan and having its principal place of business at Nihonbashi Izumi Bldg. 5F, 2-17-9 Kayabacho, Nihonbashi, Chuou-ku, Tokyo 103-0025, Japan (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignor has sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignor, had this sale and assignment not been made.

AND for the same consideration, said assignor hereby covenants and agrees to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignor is the sole and lawful owner of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignor hereby covenants and agrees to and with said assignee, its successors, legal representatives and assigns, that said assignor will, whenever counsel of said assignee, or the counsel of its successor, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignor hereby requests the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

"I hereby authorize and request the assignee's attorneys, Morrison & Foerster LLP, to insert here in parentheses (Application number \_\_\_\_\_, filed \_\_\_\_\_) the application number and filing date of said application when known."

3/10/04  
Date

  
Yutaka TABATA

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<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	<b>Application Number</b>	Not Yet Assigned
	<b>Filing Date</b>	Concurrently Herewith
	<b>First Named Inventor</b>	Yutaka TABATA
	<b>Title</b>	NUT FRAGMENTS AND METHODS OF FORMING NUT FRAGMENTS
	<b>Art Unit</b>	Not Yet Assigned
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket No.</b>	559452000100

I hereby appoint:

☒ Practitioners at Customer Number 

OR

☐ Practitioner(s) named below:

Name	Registration Number	Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number: 

OR

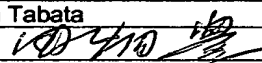
☐ Firm or Individual Name

Address				
City	State	Zip		
Country	Telephone	Fax		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
**SIGNATURE of Applicant or Assignee of Record**

<b>Name</b>	Yutaka Tabata		
<b>Signature</b>			
<b>Date</b>	3/10/04	<b>Telephone</b>	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.